

## Confidentiality Policy

### 1. Purpose

Inala Community House (ICH) is committed to ensuring the protection of all confidential information held by the organisation as part of its legal and ethical responsibilities.

The confidentiality of some information is in the best interest of the organisation, its programs and services, members and stakeholders as the disclosure of this information could injure individuals, organisations or groups, both internally and externally.

This policy aims to provide a clear understanding of the nature of confidential information and the responsibilities of stakeholders in dealing with these matters.

Services may also have service specific policies and procedures which relate to confidentiality requirements.

### 2. Scope

This policy applies to all Inala Community House Stakeholders when dealing with confidential information.

### 3. Definitions

**Stakeholder:** In this policy, stakeholder means Board members, all employees of Inala Community House, volunteers/unpaid workers and any individual engaged by ICH privileged to confidential information, for example project or contracted workers, IT contractors, community group co-ordinators/facilitators and student placements.

**Confidential Information:** Refers to any information, material or data, either written, recorded, electronic (emailed, text message) or verbal, that ICH considers and treats as confidential, sensitive or proprietary, and is not in the public domain, whether or not it is explicitly marked as such.

### 4. Policy

Inala Community House aims to maintain the confidentiality of all necessary documents and information by having appropriate processes in place to safeguard this information. ICH recognises that disclosure of such information may have significant impact upon individuals to whom the disclosure may relate to but also have significant implications for the organisation.

#### 4.1 Determining Confidential Information

Inala Community House recognises the importance of determining confidential information, however care must be taken to avoid overuse or misuse of this policy. ICH requires a high degree of openness to function properly, and with due regard to the interests of all

organisational stakeholders. Care will be exercised at all times in the designation and usage of confidential information.

Information may be determined to be confidential where it is:

- Commercial in confidence
- Concerning the privacy of its staff, volunteers and service users
- Requiring protection to safeguard the intellectual property of the organisation
- Required in accordance with service agreements and tenders, regulatory and legislative requirements
- Deemed necessary to determine that the information is confidential.

Where legitimate reasons exist for confidentiality, the Board of Directors and leadership teams are authorised to formally designate information (for which they are accountable) as being confidential.

#### *4.1.1 Types of Confidential Information*

Information that is confidential, sensitive or proprietary may result from various activities and sources.

Examples of types of confidential information may include but are not limited to:

- Current and prospective membership including personal and business data;
- Personnel matters and actions, including personnel records with responsibilities, qualifications and compensation information as well as medical records or data that will be unduly invasive of personal privacy except where it is a regulatory requirement for qualifications to be displayed e.g. FDC National Quality Framework (ACECQA);
- Information relating to service users;
- Information generated by self-regulatory proceedings, such as ethics and professional conduct investigations, certification, standards-setting and accreditation including FDC National Quality Framework (ACECQA). and Licensing, Child Protection Out of Home Care Licensing and the Community Standards or other business or governance enforcement;
- Opinion and other privileged information received from inside or outside the organisation including legal, expert advice or staff members;
- Executive or closed meeting information, including matters contained within the minutes, notes, recording or of a verbal nature discussed at any Inala Community House meeting;
- Financial statements;
- Certain business and financial discussions, agreements, and financial data. This includes service and program plans and budgets, information about services and programs, projects and products or services under development as well as data generated through confidential merger or acquisition processes, or other co-operative or partnership agreements;
- Any matter of business of Inala Community House that could be deemed or classed as 'Commercial in Confidence'

## 4.2 Protection of Confidential Information

All staff, and volunteers dealing with confidential information, shall be required to sign this Policy.

All staff and volunteers dealing with confidential information shall be instructed upon any specific handling processes which relate to the protection of this information.

## 4.3 Access to Confidential Information

A request to view a confidential document, file or recording must be addressed in writing to ICH or the relevant Service, giving 14 days' notice, and will generally only be provided to a person to whom the record relates. Provision of information will be done in accordance with the organisations legal obligations including service agreements and tenders, regulatory and legislative requirements.

Any document that is marked 'Confidential' or 'Commercial in Confidence' can only be viewed by a person who has the express permission of the CEO, Board Member or Service Manager to do so.

The person authorising access to the confidential information must ensure that appropriate measures are enacted to safeguard the information from unauthorised access or disclosure.

## 4.4 Disclosure of Confidential Information

Individuals, accountable under this policy, may not purposefully disclose confidential, sensitive or proprietary information within or outside the organisation, except to individuals known to be authorised to receive such information. Information relating to individuals or non-public information must not be disclosed except where this is directly related to the person's role within ICH.

Individuals shall act with due care to avoid the inadvertent disclosure of such information to anyone else, and to avoid its use for personal gain or the advantage of other organisations or entities.

Individuals must act in a way which safeguards confidential information by taking reasonable precautions (such as locking devices when unattended).

Inala Community House also recognises that disclosure of confidential information may be required by law.

## 4.5 Removal of Confidential Status

A request to remove the confidential status of a document, file or recording must be addressed in writing to ICH or the relevant Service, giving 14 days' notice. The status of confidential information will be reviewed in accordance with the organisations legal

obligations including service agreements and tenders, regulatory and legislative requirements.

The Board of Directors, at their sole discretion, or on a recommendation by the CEO, may also release files, documents or recording from the 'Confidential' or 'Commercial in Confidence' category, as deemed to be appropriate, considering all legal obligations.

#### 4.6 Appeals

Appeals from individuals and entities requesting access to, or removal of the confidential status from information classified as confidential by the organisation may be made in writing to the CEO of Inala Community House who will present this to the Board of Directors. The decision of the Board shall be final.

#### 4.7 Breaches of this Policy

Any potential or actual breaches of this policy should be reported to the relevant Service Manager or the CEO.

Breaches of this policy may result in disciplinary action, up to and including termination from ICH.

Individuals should also recognise that some types of information are protected by law and the unauthorised disclosure of such information may result in criminal charges.

### 5. Review

This policy shall be reviewed every 2 years.

This policy remains in effect unless otherwise determined by resolution of the Board of Directors.

### 6. Related Documents

#### **Policies**

ICH Code of Conduct Policy  
ICH Conflict of Interest Policy  
ICH Information Technology Policy  
ICH Performance Counselling and Discipline Policy  
ICH Ending Employment Policy

## 7. Declaration

I \_\_\_\_\_ [name], confirm that I have read and agree to act in accordance with the Inala Community House Confidentiality Policy.

I agree to maintain confidentiality of all confidential or restricted information whether this is determined by ICH or in accordance with legal or regulatory requirements. I agree that the information will be released only when authorised by ICH and subject to any conditions set by the organisation or where the disclosure is authorised by law.

I undertake to:

- 1) Access information held by ICH only when necessary to the performance of my assigned duties
- 2) Make copies of confidential information only when necessary to the performance of my assigned duties
- 3) Oversee the storage and handling of confidential information to minimise the risk unauthorised access
- 4) Take reasonable care to properly secure confidential information on my computer (or other devices capable of accessing or storing confidential information) and will take steps to ensure that others cannot view or access such information
- 5) Not disclose my personal password(s) or PINs to anyone without the express written permission of the Service Manager or CEO, or record or post it in an accessible location
- 6) Notify my supervisor if I have reason to believe that my password(s) have been compromised.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Position: \_\_\_\_\_